

Town of Amherst
Zoning Board of Appeals - Special Permit

DECISION

Applicant: Amherst College Rental Property Office, c/o Bill Gillen, architect

Date Application filed with the Town Clerk: December 22, 2004

Nature of request: Seeks a Special Permit to convert a single family residence to a two family residence under Section 3.3241 of the Zoning Bylaw, on the premises at 58 Woodside Avenue (Map 14C, Parcel 27, R-G Zoning District.)

Legal notice: Published on January 12th and 19th, 2005 in the Daily Hampshire Gazette and sent to abutters on January 10, 2005.

Board members: Tom Simpson, Ted Rising, Susan Pynchon

Submissions: The applicant submitted the following:

- A site plan showing the property with house location, setbacks, the proposed floor plans, proposed parking and a locus map, prepared by Ford Gillen Architects, Inc, dated 12/22/04
- A revised site plan showing the parking on the south side of the house instead of the north side, dated 1/27/05
- A revised map of the area, clarifying the boundary lines of the property and the adjacent property that is scheduled to merge with the lot under consideration.
- A management plan
- A set of photographs of the house from various angles.

Site Visit: January 25, 2005

Architect Bill Gillen and Amherst College Rental Property Manager Gary Doherty met with the Board for the site visit.

The Board observed the two distinct historic houses that had been joined together and used as a single-family residence. The front section of the house originally was built by Judge John Dickinson in 1837 on Amherst College property at the site of what is now Kirby Theater. It was moved in 1937 to its present location, also owned by Amherst College, and joined with a house that reportedly had been moved from the Quabbin Reservoir area. The front section features a round attic window facing the street and a large front door with side panels typical of the period; the rear section features two large French doors and an attached garage.

The Board noted a sharp drop-off to a swale on the northern side of the house,

approximately where the proposed extra parking was originally proposed be located. The Board also noted wetlands in the back of the property to the east.

Public Hearing: January 27, 2005

Bill Gillen, architect for the project, and Gary Doherty of Amherst College Rental Properties both spoke to the Special Permit request at the hearing.

Mr. Doherty said that the house is too big for current faculty tastes, and has been vacant for over a year. Because it was originally two houses, it is easily dividable. It will be used for junior faculty housing. Specifically:

- Currently there are six bedrooms – two in the rear section and four in the front. The bedroom configuration will remain after the conversion.
- The back house will retain the one-car garage, additional parking next to the garage and the extra storage space in the garage; the front house will have an added entrance, sidewalk and a new parking area for two cars.
- The driveway is wide and long, and can accommodate guest parking easily. Street parking is also available.
- Utilities will be separate, as are the Town water and sewer services.
- Amherst College will manage both dwelling units for snow removal, trash removal, repairs, etc., as they did for the single family residence.

Mr. Gillen said that, because of possible wetlands directly north of the house now under consideration, he redrew the proposed location of the additional required parking to the south side of the house. He submitted these revised plans to the Board.

In addition to parking changes, the plans show the one proposed exterior change to the house – the creation of a second means of egress on the north side for the proposed front unit. In order to achieve this, the third window from the front will be moved back and a new door will be installed. No other exterior changes are proposed.

Mr. Gillen also said that the boundaries for this parcel were surveyed and are shown on the new site plan. That is:

- The parcel is now 18,711 square feet in area, with 84.13 feet of frontage.
- Required frontage in an R-G zoning district is 100 feet.
- The lot area required for a two family in an R-G district is 14, 500 square feet, so the area requirement is met.
- When this parcel is combined with the open one to the north, the frontage would be conforming as well. The parcel to the north is 13,350 square feet in size, with 125.59 feet of frontage. The new frontage then would be 209.7 feet and the lot size would be 32,061 sq. ft.. Combining the parcels is the current plan of the College.
- The adjacent house to the south, which the initial site plan showed as extending over the boundary onto the parcel under consideration, is no longer part of the parcel. The southern boundary had been adjusted a few years earlier, but had not been reflected on the Town's maps.

Mr. Gillen stated that a wetlands delineation will be conducted for the land to the north and east of the house when the snow cover melts in March. But the applicants are requesting a decision from the ZBA now regarding the house conversion so that Amherst College can proceed with the interior renovations. When the wetlands determination with the Conservation Commission is complete, the applicant will meet with the Board for final review of parking lot and sidewalk locations. The ANR (Approval Not Required) process for combining the two lots into one will be complete with the Town as well by then.

There were no comments from the public.

Ted Rising moved to close the public hearing. Susan Pynchon seconded the motion, and the vote was unanimous.

Public Meeting:

The Board noted that all the dimensional regulations will be met with this proposal, given the addition of the empty lot to the north to the parcel under consideration. Also the Board found the Management Plan submitted with the application to be satisfactory.

The Board concluded that all the requirements for a converted dwelling, Section 3.3241 of the Bylaw, are met. That is:

- The conversion will be from just one to two units; up to four (4) units are allowed.
- There will be no significant change in the exterior of the building, other than the addition of a second means of egress for the front unit.
- The proposed conversion is suitably located in the neighborhood, since the residence is
 - Located close to two heavily traveled streets – Northampton Road and South Pleasant Street.
 - Close to both businesses and an educational district, Amherst College.
 - In an area already developed for multi-family use
- A management plan stating that Amherst College will provide all maintenance is an integral part of the application.

Findings:

The Board finds under Section 10.38 of the Zoning Bylaw, Specific Findings, that:

10.380 & 10.381 – The proposal is suitably located, in that there are a number of multi-family residences in the neighborhood, and the lot on which the house is located is quite large.

10.382, 10.383 & 10.385 – The proposal will not constitute a nuisance in that there are no proposed changes for the exterior, any additional exterior lighting will be downcast, and the extra parking will not impact the wetlands to the east. The proposal should not be any more inconvenient to abutters than the existing single family residence, since no changes are proposed to the exterior.

10.384, 10.386, 10.392 & 10.396 – Adequate facilities will be provided, in that there are four parking places proposed. The lot is open and level for most outdoor activities.

10.387 – The proposal provides safe vehicular and pedestrian movement within the site and in relation to the neighborhood in that the lot is located on a quiet open street. The area is safe for pedestrians and street parking. The addition of a second unit will not make an impact on the area since the houses and lots are large, and many of the residences are already configured for multi-family use.

10.388 – not applicable

10.389 – The single family home was managed by Amherst College, which owns many residences on Woodside Avenue. The proposed addition also will be managed by the College.

10.391 – The proposal does not interfere with natural features of the area, such as the wetlands to the east of the property, and will preserve the historical features of the original house(s).

10.398 – The proposal is in harmony with the general purpose and intent of the Bylaw, in that it provides additional housing units that are needed by the College by re-establishing two units within this large residence. In addition, the residence is located in a convenient, safe area close to both the downtown business district and the academic buildings of Amherst College.

Susan Pynchon moved to approve the proposal. Ted Rising seconded the motion.

Zoning Board Decision:

For all of the reasons stated above, the Board voted unanimously to APPROVE a Special Permit to Amherst College, c/o Gary Doherty of the Rental Housing Office to convert a single family residence to a two-family residence under Section 3.3241 of the Zoning Bylaw on the premises at 58 Woodside Avenue (Map 14C, Parcel 27, R-G Zone), with conditions.

TOM SIMPSON

TED RISING

SUSAN PYNCHON

FILED THIS _____ day of _____, 2005 at _____,
in the office of the Amherst Town Clerk _____.

TWENTY-DAY APPEAL period expires, _____ 2005.
NOTICE OF DECISION mailed this _____ day of _____, 2005
to the attached list of addresses by _____, for the Board.

NOTICE OF PERMIT or Variance filed this _____ day of _____, 2005,
in the Hampshire County Registry of Deeds.

Town of Amherst
Zoning Board of Appeals

SPECIAL PERMIT

The Amherst Zoning Board of Appeals hereby grants a Special Permit to Amherst College, c/o Gary Doherty of the Rental Housing Office to convert a single family residence to a two-family residence under Section 3.3241 of the Zoning Bylaw on the premises at 58 Woodside Avenue (Map 14C, Parcel 27, R-G Zone), subject to the following conditions.

1. The residences shall be used for only faculty housing.
2. There shall be no exterior changes other than the new door for the front unit and moving one window.
3. The interior shall be built as shown on the stamped plan approved by the ZBA on February 9, 2005.
4. The Management Plan approved by the ZBA on February 9, 2005 shall be enforced.
5. All new exterior lighting shall be downcast.
6. A final site plan showing the location of the two additional parking places for the front unit, exterior lighting, wetland delineation and the lot boundaries shall be submitted to the Board for approval at its April 28, 2005 public meeting.
7. This Special Permit is subject to Section 14 of the Zoning By-Law, Phased Growth. Development authorization is available as of March, 2005.

TOM SIMPSON, Chair
Amherst Zoning Board of Appeals

DATE